

OCT 16 2006

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number 10/506,308

Filing Date 09/01/2004

First Named Inventor NAKANISHI, Atsushi

Art Unit 1846

Examiner Name HISSONG, B.D.

Attorney Docket Number 3030 USOP

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application
☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application
☐ Power of Attorney, Revocation
☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please identify
below):

Remarks

The Commissioner is still authorized to charge any required fees, or to credit any overpayment to the applicant's USPTO deposit account 500799.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Signature

Printed name

Mark Chao

Date

Oct. 16, 2006

Reg. No.

37,293

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OCT 16 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/506,308

Filed: 09/01/2004

1st Inventor: NAKANISHI, Atsushi

For: Novel Protein and DNA Thereof

Atty. Dkt. No. 3030 USOP

Art Unit: 1646

Examiner: HISSONG, BD

Election of Claims and 2nd Preliminary AmendmentCommissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Via Facsimile: Central Fax 1-571-273-8300

SIR:

In response to the Office Action mailed 09/21/2006, Applicants make the following Amendments and Election of Claims.

I. AMENDMENT

Applicants respectfully request that the claims be re-written as follows, without prejudice to the filing of future continuing applications.

The claims are amended below to cancel subject matter of a non-elected invention.